



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Jochen G. Salfeld, *et al.*

Serial No.: 09/534,717

Filed: March 24, 2000

For: *Human Antibodies that Bind Human IL-12 and Methods for Producing*

Attorney Docket No.: BBI-093CP

Group Art Unit: 1646

Examiner: Prasad, S.

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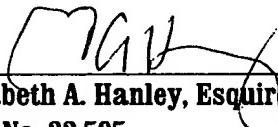
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April 17, 2002

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By:

  
Elizabeth A. Hanley, Esquire  
Reg. No. 33,505  
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RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is a response to the Office Action mailed from the Patent Office on November 19, 2001 (Paper No. 10). A separate petition for four-month extension of time is being filed concurrently herewith.

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***Supplemental Response to Restriction Requirement under 35 U.S.C. § 121***

The Examiner has stated that the Applicants' reply filed on August 29, 2001 was not fully responsive to the previous Office Action (dated June 27, 2001). The Examiner has required that Applicants elect a single disclosed species of SEQ ID No. for each of the CDR1, CDR2, and CDR3 regions, as well as the corresponding single sequence for the entire heavy and light chain for prosecution on the merits.

Applicants hereby elect the following:

SEQ ID NO: 25 for the heavy chain CDR3

SEQ ID NO: 26 for the light chain CDR3

SEQ ID NO: 27 for the heavy chain CDR2

SEQ ID NO: 28 for the light chain CDR2

SEQ ID NO: 29 for the heavy chain CDR1

SEQ ID NO: 30 for the light chain CDR1

SEQ ID NO: 31 for the heavy variable chain

SEQ ID NO: 32 for the light chain variable chain

The Examiner has also requested that Applicants elect a single species of therapeutic agent. With respect to the election of a species of a therapeutic agent, Applicants hereby elect the species of "antibodies or agonists of TNF."

With respect to the elected species, it is Applicants understanding that this election is for searching purposes only and upon allowance of the elected claims, the generic claims also will be searched and Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141.

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If a telephone conversation with Applicants' attorney would help expedite the prosecution of the above-identified application, the Examiner is urged to call Applicants' attorney at (617) 227-7400.

Respectfully submitted,

  
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Dated: April 17, 2002